

and explicitly denying the fraud, usury or combination, and the facts on which the charge is founded.

To entitle a party to answer, plead or demur after a decree *pro confesso*, he must assign some satisfactory reason under oath for his delay. The sufficiency of such reasons, and the terms upon which the defendant may be allowed to answer, etc., are not reviewable on appeal. This section does not repeal or change the requirements of section 152, but enlarges them. *Belt v. Bowie*, 65 Md. 353.

The defendant can not plead or demur to the whole bill, and at the same time file an answer to it, nor can he at the same time demur and plead to the whole bill, or to the same part of it. *Frederick County v. Frederick City*, 88 Md. 662.

1904, art. 16, sec. 149. 1888, art 16, sec. 136. Rule 18.

158. No plea or demurrer shall be allowed to be filed to any bill or petition, unless it be supported by affidavit that it is not intended for delay; and if a plea, that it is true in point of fact. The form of demurrers shall be substantially as follows: "The defendant demurs to the whole bill," or "to so much of the bill, or discovery or relief," stating the particular part or parts demurred to, and the special grounds of the demurrer.

The failure to make affidavit that pleas are not intended for delay, is a fatal defect if seasonably availed of. How such defect should be taken advantage of. *Wagoner v. Wagoner*, 76 Md. 313.

When pleas are not verified as required by this section, they can not properly be allowed. *Turpin v. Dirickson*, 105 Md. 625.

Special grounds of demurrer will not be considered on appeal, if they were not relied upon below. *Williams v. Harlan*, 88 Md. 7.

Ibid. sec. 150. 1888, art. 16, sec. 137. Rule 19.

159. The plaintiff may set down the demurrer or plea to be argued, or he may take issue on the plea. If, upon an issue, the facts stated in the plea be determined for the defendant, they shall avail him as far as in law and equity they ought to be available, but no further.

Ibid. sec. 151. 1888, art. 16, sec. 138. Rule 20.

160. If the plaintiff shall not reply to any plea filed, or shall not set down any plea or demurrer for argument, within ten days after the same filed, the defendant may set it down for argument on five days' notice.

Ibid. sec. 152. 1888, art. 16, sec. 139. Rule 21.

161. If, upon the hearing, any demurrer or plea shall be allowed, the court may, in its discretion, upon motion of the plaintiff, allow him to amend his bill upon such terms as it shall deem to be reasonable.

As to amendments in equity, see sec. 17.

See sec. 185.

Ibid. sec. 153. 1888, art. 16, sec. 140. Rule 22.

162. If, upon the hearing, any demurrer or plea is overruled, unless the court or judge thereof hearing the same be satisfied that it was intended for vexation and delay, the defendant shall be required to